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DATED JUNE 21, 2004](#)

AGN. NO. _____

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

JUNE 22, 2004

WIRELESS 4-1-1 PRIVACY ACT

On November 20, 2003, Representatives Joseph Pitts (R.-PA) and Ed Markey (D.-MA) introduced H.R. 3558 to amend the Communications Act of 1934. If passed, the legislation would stave off any attempts by commercial mobile services providers from compiling a wireless phone directory of subscribers without their expressed consent.

Specifically, a provider would have to notify subscribers of their rights to not be listed in a directory, and would have to get authorization to be included in a wireless database. Also, subscribers will not be charged a fee to stay unlisted.

I, THEREFORE, MOVE that the Board of Supervisors send a five-signature letter of support for the Wireless 411 Privacy Act to House Representatives Joseph Pitts and Ed Markey, the leadership of both Houses, and members of the County's Congressional delegation.

#

MDA:amh

s:\motions\Wireless 411 Privacy Act

MOTION

Molina	_____
Burke	_____
Yaroslavsky	_____
Antonovich	_____
Knabe	_____



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

June 21, 2004

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Third District

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Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

MOTION TO SUPPORT THE WIRELESS 411 PRIVACY ACT (ITEM NO. 33-A, AGENDA OF JUNE 22, 2004)

Item No. 33-A on the June 22, 2004 Agenda is a motion by Supervisor Antonovich to send a five-signature letter to Representatives Joseph Pitts (R-PA) and Ed Markey (D-MA), the leadership of both Congressional Houses, and the members of the County's Congressional Delegation, supporting H.R. 3558, the Wireless 411 Privacy Act.

H.R. 3558 would amend the Communications Act of 1934 to prohibit a mobile telephone service provider from including the number of a subscriber in any wireless directory assistance service (WDAS) unless the subscriber is given conspicuous notice, and the subscriber gives express authorization. The bill would also prohibit a provider from connecting a WDAS caller to a subscriber unless the caller's identity is given to the subscriber and the subscriber accepts the call. In addition, the provider could not disclose the subscriber's telephone number to the WDAS caller, and could not connect a WDAS call to an unlisted subscriber's number. Finally, the bill prohibits the provider from charging the subscriber for an unlisted number, or any other privacy right granted by the act.

H.R. 3558 was introduced on November 20, 2003. There are 26 co-sponsors, including Representatives Adam Schiff, Diane Watson, and Howard "Buck" McKeon, from the County's delegation. The bill was referred to the House Committee on Energy and Commerce, and assigned to the Subcommittee on Telecommunications and the Internet, where it has not been scheduled for hearing. A companion bill, S. 1963 (Specter, R-PA), was introduced on November 25, 2003. It is co-sponsored by Senator Boxer, and is

Each Supervisor
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currently assigned to the Committee on Commerce, Science, and Transportation, where it is waiting to be scheduled for a hearing.

Although H.R. 3558 will have no direct impact on County operations, the Department of Consumer Affairs believes that the bill will benefit consumers, and it recommends that the County support the bill, and we concur. Support for H.R. 3558 is consistent with County legislative policies that support Federal legislation that prohibits "slamming" and "cramming" of telecommunications services, and which limits the financial liability of affected consumers.

DEJ:GK
MAL:DRS:ib

c: Executive Officer, Board of Supervisors
County Counsel